

JUL 19 2004

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Mail Stop Appeal Brief - Patents
Commissioner For Patents
Facsimile 703-872-9306

From:

Robert Yoshida, Reg. No. 54,941
Aventis Pasteur Inc.

This facsimile is 82 pages, including this cover page

July 19, 2004

Applicants : Loosmore, et al.
Application No.: 09/210,995
Filing Date : December 15, 1998
Title : Multi-Component Vaccine Comprising At Least Two Antigens From Haemophilus
influenzae To Protect Against Disease
Grp./AU : 1645
Examiner : Ja-Na Hines

This facsimile contains in addition to this cover page :

Certificate of Transmission (1 page)
Transmittal Form (1 page)
Response to Notification of Noncompliance with 37 CFR 1.192(c) (2 pages)
Petition for Extension of Time under 37 CFR 1.136(a), in duplicate (2 pages x 2 = 4 pages)
Fee Transmittal form (1 page)
Appeal Brief, in triplicate (24 pages x 3 = 72 pages)

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PTO/SB/97 (08-03)

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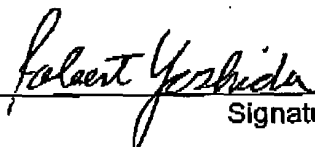
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Loosmore et al., U.S. Appl. No. 09/210,995, Filed December 15, 1998

Certificate of Transmission under 37 CFR 1.8

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The following papers listed below are submitted:

Transmittal Form (1 page)

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Fee Transmittal form (1 page)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/210,995
Filing Date	December 15, 1998
First Named Inventor	Sheena M Loosmore
Art Unit	1645
Examiner Name	Ja-Na Hines
Attorney Docket Number	1038-844MIS

Total Number of Pages in This Submission

81

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	One additional copy of Petition for Extension of Time; Two additional copies of Appeal Brief; and Certificate of Transmission
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The total number of pages of this submission includes this Transmittal form.	
	The Amendment/Reply is a Response to Notification of Noncompliance with 37 CFR 1.192(c).	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Robert Yoshida; Aventis Pasteur, Inc.
Signature	<i>Robert Yoshida</i>
Date	July 19, 2004

CERTIFICATE OF TRANSMISSION/MAILING

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PATENT Docket No.: 1038-844

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Loosmore, et al.)
Application No.: 09/210,995)
Filing Date : December 15, 1998)
Title : Multi-Component Vaccine Comprising At Least)
Two Antigens From Haemophilus influenzae)
To Protect Against Disease)
Grp./AU : 1645)
Examiner : Ja-Na Hines)

July 19, 2004

**RESPONSE TO NOTIFICATION
OF NONCOMPLIANCE WITH 37 CFR 1.192(c)****BY FACSIMILE 703-872-9306**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Facsimile: (703) 872-9306

Dear Sir:

This is a response to the Notification of Non-Compliance with 37 CFR 1.192(c), mailed January 23, 2004.

REMARKS**1. Response to Notice.**

An Appeal Brief was timely submitted pursuant to applicant's appeal from a Final Rejection of claims 6-24 dated October 22, 2002. A Notification of Non-Compliance with 37 CFR 1.192(c) was mailed January 23, 2004 requiring Applicants to file in triplicate a complete new brief in compliance with 37 CFR 1.192(c). In particular, the notice stated that "the brief